

Docket No.: 282727US8X/jkl

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Lothar STADELMEIER, et al.

SERIAL NUMBER: 10/765,728

GROUP: 2419

FILED: January 26, 2004

EXAMINER: PHAN, MAN U.

FOR: METHOD FOR OPERATING AN RLAN ARRANGEMENT

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

MAIL STOP ISSUE FEE
COMMISSIONER FOR PATENTS
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450

SIR:

Applicants acknowledge with appreciation the indication of Allowability of the claimed invention. In response to the Examiner's Statement of Reasons for Allowance in the Notice of Allowance of April 6, 2009, Applicants respectfully submit the following comments.

In the Examiner's Statement of Reasons for Allowance on page 2 of the Notice of Allowance mailed April 6, 2009, paragraph 3 states in part:

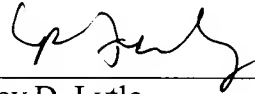
The following is an examiner's statement of reasons for allowance: The closest prior art of record fails to disclose or suggest wherein in the step of setting the transmitting power level, the second threshold represents a detection level of radar signals, radar signals having a higher signal level than the detection level are detectable with a first detection rate, and radar signals having a lower signal level than the detection level are detectable with a second detection rate, the first detection rate being higher than the second detection rate, as expressly recited in the claims.

Although the above comment seems to be directed to Claims 14 and 22, it is respectfully submitted that independent Claim 23 does not include all of the elements recited above. For example, Claim 23 recites "a power setting unit" and not a method comprising "the step of setting the transmitting power level." Accordingly, it is respectfully submitted that the above quoted statement applies only to independent Claims 14 and 22 (and claims

dependent therefrom), and not to independent Claim 23 (and claims dependent therefrom), to the extent the language used in the statement differs from the language of the claims.

Respectfully Submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



Bradley D. Lytle
Registration No. 40,073

Customer Number

22850

Tel. (703) 413-3000
Fax. (703) 413-2220
(OSMMN 05/04)

Craig R. Feinberg
Registration No. 62,116